

APPLICANT'S REMARKS

Claims 29, 31, 32, 34, 37, 41, 43-46, 48, 51, 53, 55 and 56 have been amended, and claims 36, 40, 50 and 54 have been cancelled. No new matter has been entered with this Amendment. Accordingly, claims 28-35, 37-39, 41-49, 51-53, 55 and 56 are currently pending in the application of which claims 28, 42 and 56 are independent claims.

Objections to the Specification

Applicant has amended the specification to correct any errors or inconsistencies. Applicant has also amended the title. Finally, Applicant has added a paragraph to the specification identifying the provisional application from which the present application claims and has been granted priority from. No new matter has been added with these amendments.

Rejections of the Claims

Claims 30, 32-36, 40-41, 44, 46, 48, 50 and 54-55 were rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the enablement requirement.

Claims 28-56 were rejected under 35 U.S.C. §102(e) as being anticipated U.S. Patent No. 6,295,513 to Thackston ("Thackston"). Applicant will address each rejection below in turn.

Rejection Under 35 U.S.C. §112

The Office Action has rejected 30, 32-36, 40-41, 44, 46, 48, 50 and 54-55, and has noted that the "dependent claims include limitations as to one who is to digitally sign the instructions," but "these 'signers' have not been clearly identified in a manner to properly enable the claimed invention.

Applicant first notes that the specification clearly described and enables the various entities, such as manufacturers, designer and venders, who perform the various functions. However, as understood by one of ordinary skill in the art, the entities themselves clearly cannot perform the actions. Rather, a real person, acting as a representative of the entity, such as an employee, performs the actions. For example, IBM the entity does not provide a signature to bind itself. Rather, an employee of IBM acting in their authority provides a signature to bind IBM.

With this in mind, Applicant asserts that the claims as amended are clearly enabled and supported by the specification. The following citations to the specification demonstrate this:

Claims 30 and 44 are enabled at least at page 9, lines 5-16 and page 12, lines 3-16;

Claim 32, 34, 46 and 48 are enabled at least at page 12, lines 23-25;

Claim 33 is enabled at least at page 9, lines 5-16 and page 12, lines 3-16; and

Claims 35, 41 and 55 are enabled at least at page 11, lines 14-16 and page 16, lines 24-26.

Applicant notes that these citations are exemplary only, and that there may be other portions of the specification that enable these claims. Finally, claims 36, 40, 50 and 54 have been cancelled.

Therefore, the claims as amended are clearly enabled. Applicant requests that the rejection under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the enablement requirement be withdrawn.

Rejection Under 35 U.S.C. §102(e)

As demonstrated in the attached Applicant's Declaration under 37 C.F.R. §1.132, the inventive entity of the present application and the inventive entity of Thackston are the same. Applicant has clearly satisfied the requirements of MPEP §706.02(b) and overcome this rejection by filing the Declaration under 37 C.F.R. §1.132. Therefore, the rejection of claims 28-56 under 35 U.S.C. §102(e) is improper, as Thackston is not available as a reference. Therefore, Applicant respectfully requests that this rejection be withdrawn.

Claim Amendments

Minor amendments have been made to claims 29, 31, 32, 34, 37, 41, 43-46, 48, 51, 53, 55 and 56 in order to improve the language thereof. In these amendments, Applicant has made several changes to the language of the claims to render the same more self consistent, as well as more fully in compliance with U.S. syntax, idiom and grammar. These amendments do not change the scope of the claims but are merely cosmetic changes that give rise to no file wrapper estoppel.

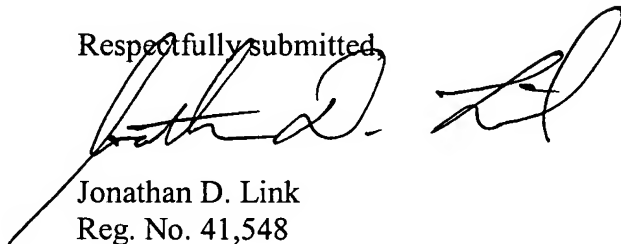
CONCLUSION

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated grounds for objection and rejection have been overcome. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution. Applicant believes that no further fees are due with this reply. Should any fees be due, Applicant authorizes the PTO to charge our Deposit Account No. 23-1951.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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